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SERIES I No. 4

# OFFICIAL GAZETTE

## GOVERNMENT OF GOA, DAMAN AND DIU

### EXTRAORDINARY

#### No. 2

#### GOVERNMENT OF GOA, DAMAN AND DIU

Law Department

Legal Affairs Branch

#### Notification

3-2-86/LA

In exercise of the powers conferred by section 89-A of the Registration Act, 1908 (Central Act 16 of 1908) as applicable to the Union territory of Goa, Daman and Diu, the Government of Goa, Daman and Diu hereby makes the following rules, namely:—

**1. Short title and commencement.**— (1) These rules may be called the Goa, Daman and Diu Registration (Filing of True Copies of Documents) Rules, 1986.

(2) They shall come into force with effect from the first day of May, 1986.

**2. Definitions.**— In these rules, unless the context otherwise requires, —

(a) "Act" means the Registration Act, 1908;

(b) "section" means a section of the Act;

(c) "true copy" means the true copy referred to in rule 4.

**3. Document to be accompanied by true copy thereof.**— (1) Every document, except as expressly provided hereunder, presented for registration under the Act, shall be duly accompanied by a true copy of such document without which the document shall not be accepted for registration.

(2) The true copy presented with a document shall be deemed to be a true copy for the purpose of clause (c) of sub-section (1) of section 52.

**4. Mode of preparing true copy.**— A true copy satisfying all the following conditions shall alone be accepted as a true copy under these rules, namely:—

(i) it shall be prepared in sheets of R.A.I. Azurelaid paper of at least 20 kg.

(ii) both sides of the paper shall be used for copying provided that sheets containing copy of map or plan shall be used on the one side leaving the other side blank;

(iii) it may be printed, type written or manuscript. Carbon copies or stencilled copies shall not be used.

(iv) black ink or blue-black ink shall alone be used for preparing the true copy in manuscript. The writing shall be with such a distinct pressure on the pen, and the ink shall be of such concentration that the written matter will not fade by the passage of time;

(v) the writing shall be neat and legible, capable of easy reading and shall not create any doubt whatsoever;

(vi) it shall not be prepared by more than one person:

Provided that copies of maps and plans forming part of a true copy of a document may be prepared by more than one person.

(vii) it shall be a true and exact reproduction of the original document and as such every matter from top to bottom of each page of the document shall be copied therein including the notes of corrections except the signature of the parties to the document, which may be indicated as "signed";

(viii) if any abbreviation is used in the original, it shall be reproduced as such in the true copy also;

(ix) a scoring in the original document need not be reproduced in the copy; but the place in the document where such scoring exists shall be indicated in the true copy by a small dash (about

3/10 c.m.). The office staff will assign a letter for the dash at the time of comparison and include the same in the foot note referred to in rule 12.

(x) an interlineation in the original need not be interlined as such in the true copy. Requisite indication shall be given for this as provided for in rule 48 of the Goa, Daman and Diu Registration Rules, 1965 at the time of comparison by the office staff.

(xi) as far as possible no blank space shall exist in between the letters or words in the true copy so as to prevent the chances of unauthorised insertions subsequently.

(xii) a word or a figure if wrongly copied and detected subsequently shall be scored out and the correct word or figure written above the incorrect transcription which shall also be assigned serial numbers from the office at the time of comparison and a foot note regarding all such corrections shall be added at the end of the true copy by the office staff. No such number or note shall be assigned for such mistakes by the person preparing the original document even in cases where similar scorings or interlineations are effected by the person before presentation;

(xiii) as writing in the true copy has to be continuous, subject to rule 12 it is not at all necessary that the true copy presented shall contain an equal number of pages as contained in the original document;

(xiv) the parties to document need not affix their signature in the true copy at the portion corresponding to each page in the original document, but instead the fact that they have signed the original document shall be indicated in the true copy by the word 'signed'.

(xv) when a document is engrossed on more sheets than one, signature (s) of executant (s), witness (es) or any endorsement (such as first page, second page, etc.) that may appear on the several sheets shall also be duly transcribed in the true copy. Such portion shall be distinguished from the body of the document by drawing a line of about 3 c.m. in length before and after such portion;

(xvi) the stamp vendor's endorsement and any certificate relating to stamp that is on the document prior to its presentation for registration shall form part of the copy, and it shall therefore be copied in the true copy in continuation of the signatures of the parties, occurring in the last sheet after the notes of corrections.

The stamp vendor's endorsement on the original document shall be serially copied one after another in the true copy. If there be any Treasury seal, that fact shall also be indicated in the appropriate place as "Seal". The total number of stamp papers and the total value of the stamps on the document shall be noted in the true copy in the words, thus:— "Five Stamps Rupees .....". When no stamp is used on a document, the entry shall be in the words thus:— "Stamp Nil". Unused portion of line, if any, shall be ruled over so as to prevent any addition being made;

(xvii) a line shall be left at the top of the first page of the true copy for the purpose of

entering the document number and year by the Registering Officer at the time of acceptance of the document for registration;

(xviii) no page number shall be assigned to the true copy by the person preparing the document or parties. Page numbers shall be assigned by the Registering Officer himself by means of a numbering machine provided for the purpose, immediately after the document is admitted to registration.

The officer who transcribes the endorsement portion of a document in the true copy and the officers who compare it shall before copying and comparing the registration certificates ensure individually, that the number assigned to each of the page of the true copy filed is correct in all respects;

(xix) note of corrections made in the true copy need not be added by the person preparing the document as necessary notes in that regard will be added from the office after comparison;

(xx) the name and signature of the presenter of the document shall be added at the bottom of every page of the true copy in the space provided therefor in between the body of the document and the signature of the officers who compare the true copy.

*Note:—* In the case of an illiterate person who cannot sign, his thumb impression shall be got affixed in token of his signature.

**5. Duties of Registering Officer.**— As soon as a document is presented for registration, the Registering Officer shall scrutinise the original and the copy, and if it is found *prima facie* to be a true copy satisfying all the conditions contained in these rules, the document shall be accepted for registration as per the provisions contained in the Act and the Rules made thereunder. Immediately after the registration procedures have been completed and the document admitted to registration all the endorsements made on the document by the Registering Officer (including the stamp certificate, if any, added from the office) shall be duly transcribed in the true copy by the office staff preceded by the heading "copy of endorsements and certificates". The above heading shall be in a separate line immediately below the entries written by the person preparing the document. The copy of the document and the endorsements transcribed thereon shall then be got compared with the original document by the members of the staff.

**6. Sheet endorsement in true copy.**— When a document is accepted for registration (that is immediately after presentation endorsement is recorded) the sheet endorsement in the following form shall be made on each of the sheets in the true copy accepted for filing "copy of documents No. .... of ..... of Book ..... contains ..... sheets ..... sheet". This shall be attested by the full signature and designation of the Registering Officer.

**7. Corrections to be noted.**— During the time of comparison of the true copy all the corrections (such as scorings, interlineations etc.) in the original as well as in the true copy shall be duly noted and

letters or figures as the case may be, shall be duly assigned for the purpose of the foot-note to be added from the office.

**8. Blank spaces to be ruled across.**— All blank spaces unnecessarily left by parties in the true copy shall be ruled across and figures shall be assigned wherever necessary at the time of comparison.

**9. Notes of corrections to be added as foot-note.**— At the end of the true copy and the copy of the endorsements transcribed thereunder all the notes of corrections shall be added as foot-note.

**10. Officers to write therein name and affix their signatures.**— Officers who compare the true copy with the original document shall write their names and affix their respective signatures in every page of a true copy (at the bottom) in token of their having done so.

**11. Officers to write their names, and designations with their respective signatures.**— After writing the foot-notes referred to in rule 9, the person who transcribed the endorsements and the Reader and the Examiner who compared the true copy and the copy of endorsement with the original shall write their names and designation along with their respective signatures as follows:—

Endorsement copied by:

True copy and endorsement  
compared by:

Reader  
Examiner

**12. Foot-notes to be closed by initials of Registering Officer.**— The foot-notes added with reference to rule 9 shall be closed by the initials of the Registering Officer. The Registering Officer after closing the foot-note, shall authenticate the entry in the true copy with his signature.

**13. True copy to be filed in file boards.**— Immediately after all the above procedures are duly completed the true copy shall be filed in file boards provided for the purpose, and kept under the personal custody of the Registering Officer until it is bound.

**14. Binding of true copies.**— The binding of the true copies shall be done as soon as sufficient number of pages, as prescribed by the Inspector General of Registration from time to time, are completed.

**15. Pages in true copy to be serially numbered.**— The pages in the true copy of the document shall be serially numbered as soon as the document is admitted to registration, with the numbering machines provided for the purpose.

**16. Assignment of page numbers.**— The page numbers shall be assigned above the top-border line, at about the centre.

**17. Serial numbers to terminate with each volume.**— The serial number referred to in rule 15 shall terminate with each volume and the numbering shall be started afresh from "1" for the next volume.

**18. Note of return to be transcribed in true copy.**— The note of return recorded on the original document shall be duly transcribed in the true copy and

attested by the Registering Officer with his initials with date.

**19. Special provisions.**— The following procedure shall be adopted when the documents in the form of an endorsement are presented —

(a) When an instrument is executed in the form of an endorsement written across or at the foot or back of any instrument previously registered in the same office or in any other office which has since been abolished and whose records are kept in the office at which the endorsed deed is presented (e.g. receipt acknowledging consideration of money endorsed on the original deed), a true copy of the endorsement portion need alone be obtained.

(b) In cases where the endorsement has been made on an instrument registered in another office or on an unregistered instrument, the presenter of the present (endorsed) document shall be required to produce a continuous copy of both the original as well as the endorsed portion as if they are a single document; but the two documents shall be distinguished with different suitable and appropriate headings. In such cases, the registration endorsement, if any, made on the original document shall be copied by the office staff before copying the registration endorsement relating to the document endorsed.

Appropriate distinctive headings shall be given to each of the different endorsement copied.

**20. True copy of original document alone to be obtained for the purpose of filing.**— When a document is presented with duplicate(s) a true copy of the original document need alone be obtained for the purpose of filing. Soon after the document together with the duplicate is admitted to registration, the endorsements (including registration certificate) shall be copied in the true copy. After this, the notes of corrections made on the original document and in the true copy (including those in the endorsements) shall be added as a foot-note and closed by the Registering Officer with his initials and date as usual. Immediately below this, a note with regard to the number of copies registered with the original shall be duly added. Thereafter, the notes made on the duplicate shall be transcribed. It shall be followed by the stamp vendor's endorsement (with stamp certificate, if any, added) on the duplicate together with the total of stamp value. Thereafter, the foot notes of corrections for the duplicate shall be written and closed. The same procedure shall be adopted for each duplicate presented. After this, the signature of the copyist, reader and Examiner shall be furnished as indicated in rule 11. The entries in the true copy shall be authenticated by the Registering Officer thereafter in the usual manner.

**21. Endorsement, if any made on original document to be transcribed in true copy after registration procedure has been completed.**— Whenever a document has to be kept pending for admission to registration, the endorsement, if any, made on the original document need be transcribed in the true copy only after the registration procedure has been completed and the document admitted to registration.

**22. Certain endorsements to be transcribed by office staff.**— As regards the undermentioned

classes of documents the endorsement made thereon by a Registering Officer need not be embodied by the person preparing the document in the true copy presented alongwith the document under these rules. Such endorsement shall be transcribed by the office staff.

(a) Documents presented for re-registration under section 24;

(b) Documents registered in wrong office and presented in the proper office (as per the directions of the District Registrar);

(c) Documents refused registration and represented under section 75.

(d) Powers of Attorney attested and thereafter presented for registration.

**23. True copies not to be obtained in certain cases.**—True copies shall not be obtained in the following case:—

Duplicates, etc. of original documents when such duplicates, etc. are presented alongwith the original.

**24. True copies to be obtained afresh in certain cases.**—In the following cases true copies shall be obtained afresh:—

(a) A document, refused registration (partially or totally) is re-presented under sections 72, 75 or 77;

(b) A document presented for re-registration under section 23A or 24; and

(c) A document registered in a wrong office is presented in the proper office.

**25. True copy to be returned when document is refused registration in toto.**—When a document is

refused registration in toto by a Registering Officer, the true copy presented with the document shall be returned along with the document.

**26. Contents of will to be copied by office staff when cover deposited under section 42 is opened under section 45 or 46.**—When a cover deposited under section 42 is opened under section 45 or 46 the contents of the will shall be copied by the office staff and filed in Book No. 3. Necessary copying papers for this purpose shall be obtained from the person who got the cover opened. The signature of the copyist, Reader and Examiner shall be affixed in the true copy. The true copy so prepared shall be treated as a copy of the original ordinary deed and filed accordingly after observing all the further regulations for the same.

**27. Option for parties.**—With regard to documents already presented for registration before the date of coming into force of these rules, it shall be open to the parties to file copies as per these rules so as to expedite the registration of the documents.

**28. Validity.**—These rules shall have effect notwithstanding anything to the contrary contained in the Goa, Daman and Diu Registration Rules, 1965 or any orders issued thereunder.

**29. Inspector General of Registration to issue instructions, if necessary.**—The Inspector General of Registration may, if deemed necessary, issue instructions consistent with the provisions of the Act and these rules.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 29th April, 1986.